

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

-against-

ROBERT LEE HOUSTON

Defendant.
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**MEMORANDUM OF
DECISION AND ORDER**
IZCR6Z (ADS) (ETB)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JAN 05 2013 ★
LONG ISLAND OFFICE

APPEARANCES:

Loretta Lynch
United States Attorney
610 Federal Plaza
Central Islip, NY 11722

By: Christopher Charles Caffarone,
Assistant United States Attorney

William D. Wexler, Esq.
Attorney for the Defendant
816 Deer Park Avenue
North Babylon, NY 11703

SPATT, District Judge.

The Defendant in this case, Robert Lee Houston, filed a motion to suppress post-arrest oral statements that he made to the police on January 11, 2012. On November 6, 2012, the Court referred this matter to United States Magistrate Judge E. Thomas Boyle for the purpose of holding a hearing and issuing a Report and Recommendation addressing the Plaintiff's motion to suppress. Following a hearing on December 12, 2012, Judge Boyle issued a Report and Recommendation on December 19, 2012, which recommended that the Defendant's motion to suppress be denied. The Defendant has failed to file any objections within fourteen (14) days of service of this Report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 72(b).

In reviewing a report and recommendation, a court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citing Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)). The Court has reviewed Judge Boyle’s Report and finds it be persuasive and without any legal or factual errors. There being no objection to Judge Boyle’s Report, the Court adopts the Report.

For the foregoing reasons, it is hereby:

ORDERED that Judge Boyle’s Report and Recommendation is adopted in its entirety, and it is further

ORDERED that the Defendant’s motion to suppress post-arrest oral statements is denied.

SO ORDERED.

Dated: Central Islip, New York
January 5, 2013

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge